

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re: Methyl Tertiary Butyl Ether ("MTBE")
Products Liability Litigation

**Master File No. 1:00 - 1898
MDL 1358
M21-88**

This Document Relates to:

*New Jersey Department of Environmental
Protection, et al. v. Atlantic Richfield Co., et al.*
No. 1:08-cv-00312

**[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED
MOTION FOR LEAVE TO FILE A FIFTH AMENDED COMPLAINT**

Plaintiffs' Unopposed Motion for Leave to File a Fifth Amended Complaint is granted.

The Clerk of the Court is directed to file plaintiffs' Fifth Amended Complaint.

New defendants Lukoil North America LLC, Lukoil Pan Americas, LLC, and PJSC (formerly OAO) Lukoil shall respond to the Fifth Amended Complaint. Defendants Lukoil Americas Corporation and Getty Petroleum Marketing Inc. shall respond to the new allegations in the Fifth Amended Complaint.

Answers previously filed by all other defendants are deemed answers to the Fifth Amended Complaint.

SO ORDERED:

Vernon S. Broderick
U.S.D.J.

Dated: New York, New York
_____, 2016

PROOF OF SERVICE VIA LEXISNEXIS FILE & SERVE

New Jersey Department of Environmental Protection, et al. v. Atlantic Richfield Co., et al.
United States District Court, Southern District of New York, Case No. 08 Civ. 00312 (SAS)

I, the undersigned, declare that I am, and was at the time of service of the paper(s) herein referred to, over the age of 18 years and not a party to this action. My business address is 1050 Fulton Avenue, Suite 100, Sacramento, CA 95825-4225.

On the date below, I served the following document on all counsel in this action electronically through LexisNexis File & Serve:

**[PROPOSED] ORDER GRANTING PLAINTIFFS' UNOPPOSED MOTION FOR
LEAVE TO FILE
FIFTH AMENDED COMPLAINT**

I declare under penalty of perjury under the laws of the United States of America and the State of California that the foregoing is true and correct.

Executed on June 28, 2016, at Sacramento, California.


KATHY HERRON